

JEFFREY M. RATINOFF (SBN 197241)
Email: jratinoff@mintz.com
KARINEH KHACHATOURIAN (SBN 202634)
Email: kkhachatourian@mintz.com
MINTZ LEVIN COHN FERRIS GLOVSKY
AND POPEO P.C.
5 Palo Alto Square - 6th Floor
3000 El Camino Real
Palo Alto, California 94304
Telephone: (650) 251-7700
Facsimile: (650) 251-7739

Attorneys for Plaintiff and Counter-Defendant,
CONTINENTAL D.I.A. DIAMOND PRODUCTS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CONTINENTAL D.I.A. DIAMOND
PRODUCTS, INC., a California corporation,

Plaintiff,

vs.

DONG YOUNG DIAMOND INDUSTRIAL
CO., LTD., a South Korean company,
DONGSOO LEE, an individual, and DOES 1-
10, inclusive,

Defendants.

AND RELATED COUNTERCLAIMS.

Case No. CV 08-2136 SI

STIPULATED REQUEST AND
[PROPOSED] ORDER CONTINUING
CASE MANAGEMENT CONFERENCE

Judge: Honorable Susan Illston

Complaint Filed: April 24, 2008

Trial Date: February 16, 2010

STIPULATION

WHEREAS, on September 3, 2008, the Court entered a pre-trial scheduling order setting various deadlines, including a case management conference for January 9, 2009 (Dkt. No. 44);

WHEREAS, on December 30, 2008, the Clerk of the Court issued a notice continuing the case management conference to February 20, 2009 (Dkt. No. 75);

WHEREAS, on January 15, 2009 the Court entered an order staying the case and moving the case management deadlines out approximately three months, including continuing the February 20, 2009 case management conference to April 17, 2009 (*See* Dkt. Nos. 76-79);

WHEREAS, on March 27, 2009, on its own volition, the Court continued the April 17, 2009 case management conference to May 8, 2009 (Dkt. No. 87);

WHEREAS, on April 30, 2009, on its own volition, the Court continued the May 8, 2009 case management conference to May 11, 2009 (Dkt. No. 89);

WHEREAS, lead trial counsel for Continental Diamond has a pre-planned vacation that conflicts with the May 11, 2009 case management conference;

WHEREAS, counsel for the parties agreed that they would seek to move the case management conference to a mutually agreeable date and time to accommodate the vacation schedule of Plaintiff's counsel and the vacation and travel schedule of lead counsel for Defendants;

WHEREAS, the Court's Clerk advised the parties to file a stipulation moving the case management conference to one of several alternative times and dates in the month of May, including at 4:00 p.m. on May 26, 2009.

WHEREAS, the parties represent that this extension is not for the purpose of delay, and the parties believe that this extension of time will not affect any other dates that have been set by the Court.

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1 ACCORDINGLY, the parties, by and through their undersigned counsel, HEREBY
2 STIPULATE to this request that the currently scheduled case management conference be continued
3 from 3:00 p.m. on May 11, 2009 to 4:00 p.m. on May 26, 2009.

4 Dated: May 7, 2009 MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO P.C.

5 */s/ Jeffrey M. Ratinoff*

6 By: JEFFREY M. RATINOFF

7 Attorneys for Plaintiff and Counter-Defendant
8 Continental D.I.A. Diamond Products, Inc.

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10 Dated: May 7, 2009 PRETI FLAHERTY BELIVEAU & PACHIOS, LLP

11 */s/ Alfred C. Frawley*

12 By: ALFRED C. FRAWLEY

13 Attorneys for Defendants and Counterclaimants,
14 Dong Young Diamond Industrial Co., Ltd., and Dongsoo Lee

15 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

16 Dated: _____

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18 THE HONORABLE SUSAN ILLSTON
19 UNITED STATES DISTRICT COURT JUDGE

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21 4610434v.2